

Chief, Services Branch

13 July 1948

Assistant General Counsel

Proposed Transfer of Memovox Recording Machines to  
the Department of State

1. In regard to War Assets Administration letter to this Agency, dated 14 June 1948, the following comments are submitted for your information and guidance.

2. The War Assets Administration is the "disposal agency" for this type of materiel. Since we have the concurrence of that agency, a direct transfer to the Department of State is legally proper provided the materiel falls within the definitions of Section 14 (b) of the Surplus Property Act. This Section provides that, subject to specific restriction by War Assets (which apparently does not exist here), "any owning agency may dispose of -

- a. any property which is damaged or worn beyond economical repair;
- b. any waste, salvage, scrap, or other similar items;
- c. any product of industrial, research, agricultural or livestock operations, or of any public works construction or maintenance project carried on by such agency;

which does not consist of strategic minerals and metals, as defined in Section 22."

3. It seems, therefore, that this Agency should make an administrative determination of whether or not the machines fall within the scope of Section 14 (b) - and particularly subsections (b)(1) and (b)(2). Your conclusion in this respect will be proper from a legal standpoint. The restriction regarding strategic minerals and metals does not appear to be applicable.

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General Counsel: [redacted] :mes

Encl: 1

Memo dtd 14 June 1948 from War Assets, addressed to attention of [redacted] Same subject as above.

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